

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

TENNESSEE CONFERENCE of the NATIONAL )	
ASSOCIATION for the ADVANCEMENT of )	
COLORED PEOPLE, on behalf of itself and its )	
members, et al., )	
Plaintiffs, )	Civil Action No. 3:20-cv-01039
v. )	JUDGE CAMPBELL
WILLIAM LEE, in his official capacity as Governor) )	MAGISTRATE JUDGE FRENSLEY
of the State of Tennessee, et al., )	
Defendants. )	[Class Action]

**JOINT DISCOVERY DISPUTE STATEMENT**

Pursuant to Local Rule 37.01, the Parties respectfully submit the following joint discovery dispute statement setting forth the discovery dispute at issue, their attempt to resolve the dispute, and the parties' respective positions. The Parties request a telephonic discovery conference with Magistrate Judge Frensley.

**I. Background**

On March 15, 2021, the Court issued an Order staying discovery for Counts 1, 2, 3, 6, and 7, but allowed discovery to commence on Counts 4 and 5. Dkt. 60. On April 12, 2021, Plaintiffs sent Defendants their first set of Requests for Production of Documents. *See* Plaintiffs' First Requests for Production of Documents to Defendants Goins and Hargett (Apr. 12, 2021), *attached hereto as **Exhibit A***. On May 12, 2021, Defendants provided responses to Plaintiffs' Requests for Production of Documents (*see* Defendants' Responses to Plaintiffs' First Requests for Production of Documents (May 12, 2021), *attached hereto as **Exhibit B***) and made a partial production of

documents responsive to Plaintiffs' second and third document requests and an accompanying privilege log. Plaintiffs reviewed the materials produced by Defendants. On June 17, 2021, Plaintiffs sent Defendants a letter detailing several questions and concerns with the production and requesting a meet and confer with Defendants, pursuant to Local Rule 37.01(a). *See* Letter from Plaintiffs' counsel to Defendants' counsel regarding Defendants' Responses to Plaintiffs' First Request for Production, *attached hereto as* **Exhibit C**.

The Parties participated in a meet and confer on June 24, 2021. The Parties were unable to resolve their dispute regarding Plaintiffs' first request, and accordingly agreed to submit this Joint Discovery Dispute Statement. On June 25, 2021, Defendants made a second production of documents responsive to Plaintiffs' second and third requests and a revised privilege log.

## **II. Dispute**

The instant dispute pertains to Request for Production #1. *See* Exhibit A at 6-8. Defendants assert that Plaintiffs' RFP 1 "as a whole is improper in that it seeks disclosure of information on topics currently stayed by Order of the Court." *See* Exhibit B at 4. Plaintiffs disagree, asserting that "RFP 1 seeks information that directly relates to Plaintiffs' [National Voter Registration Act] claims (4 and 5), which the Court explicitly held should proceed to discovery." *See* Exhibit C at 1-2.

For the foregoing reasons, the parties respectfully request a conference before Magistrate Judge Frensley for the purpose of resolving this dispute.

Dated: August 6, 2021

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Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on August 6, 2021 by operation of the Court's electronic filing system on the following:

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